

REMARKS

Claims 1-9 and 11-37 are pending. Claim 10 has been cancelled. Claims 1-9 have been allowed.

Claim Rejections – U.S.C. § 102

The examiner rejected Claims 11-14, 17-20 and 23-37 as anticipated by U.S. Patent Application Publication No. 2004/0189073 to Chadwick et al. ("Chadwick et al.").

Chadwick et al. discloses an adjustable desk chair. Referring to Figures 1-4, the chair includes an adjustable back support 22 and a pair of adjustable armrests 24. When adjustment knobs 39 are loosened, back support extensions 51 and arm yokes 54 may be slidably positioned as a unit along front links 40. Front links 40, back support extensions 51, and arm yokes 54 are situated at an oblique angle, which adjusts the height of back support 22 and the seat depth concurrently.

Amended Claim 11 calls for a pair of armrests each including a mount sleeve selectively slidable along a respective upright and a backrest including a pair of opposite mount sleeves selectively positionable along the uprights where the mount sleeves of the armrests are each positionable on the uprights independently of the mount sleeves of the backrest. Similarly, amended Claim 18 calls for a pair of uprights including an armrest mounted to each upright, a backrest disposed between and mounted to the uprights, and means for independently positioning the armrests and backrest along the uprights. Referring to Figure 3 of the present application, for example, mount sleeves 74 of armrests 18 are each positionable on uprights 54 independently of mount sleeves 74 of backrest 16. Advantageously, this allows each armrest 18 and the backrest 16 to be adjusted separately and independently.

Chadwick et al. fails to disclose the forgoing structures. Rather, Chadwick et al. discloses back support 22 and armrests 24 which are configured for simultaneous adjustment as a unit.

Thus, Applicants respectfully submit that amended Claims 11 and 18, as well as Claims 12-17 and 19-22 which depend therefrom, are not anticipated by Chadwick et al.

Amended Claim 23 calls for a chair including a pair of uprights extending substantially vertically along opposite sides of a seat. Referring to Figure 3 of the present

application, for example, uprights 54, along which armrests 18 and backrest 16 are selectively positionable, are disposed substantially vertically. Advantageously, this construction allows the height of backrest 16 to be adjusted without substantially changing the seat depth.

Chadwick et al. fails to disclose a chair having a pair of uprights extending substantially vertically along opposite sides of a seat. Rather, Chadwick et al. discloses front links 40, back support extensions 51, and arm yokes 54 disposed at an oblique angle, such that the seat depth is concurrently adjusted along with the height of back support 22. Specifically, as the height of back support 22 increases, the seat depth also increases, and vice versa.

Thus, Applicants respectfully submit that amended Claim 23, as well as Claims 24-30 which depend therefrom, are not anticipated by Chadwick et al.

Amended Claim 31 calls for a chair with armrests each including a mount sleeve mounted to each upright and a backrest having opposite sides each including a mount sleeve where the mount sleeves of the backrest are identical to the mount sleeves of the armrests. Referring to Figure 3 of the present application, mount sleeves 74 of armrests 18 and backrest 16 are identical. Advantageously, this requires the user to learn only one method of adjustment for both armrests 18 and backrest 16.

Chadwick et al. fails to disclose a chair having mount sleeves of a backrest which are identical to the mount sleeves of the armrests. Rather, Chadwick et al. discloses different adjustment mechanisms for back support 22 and armrests 24. Specifically, back support 22 is adjusted by the movement of back support extensions 51 and armrests 24 are adjusted by the movement of arm yokes 54.

Thus, Applicants respectfully submit that amended Claim 31, as well as Claims 32-37 which depend therefrom, are not anticipated by Chadwick et al.

Claim Rejections – U.S.C. § 103

The Examiner rejected Claims 15, 16, 21 and 22 as being obvious over Chadwick et al. in view of U.S. Patent No. 6,705,678 to Albright et al. As discussed above, Chadwick et al. does not disclose or suggest the chair called for in amended Claims 11 or 18, and Applicants submit that Claims 15, 16, 21 and 22 are patentable over the cited art for at least the reasons advanced above with respect to amended Claims 11 and 18.

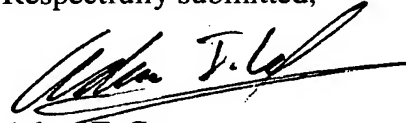
Application Serial No. 10/801,467
Amendment dated July 19, 2006
Reply to Office Action dated June 16, 2006

It is believed that the above represents a complete response to the Office Action and reconsideration is requested. Specifically, Applicants respectfully submit that the application is in condition for allowance and respectfully request allowance thereof.

In the event Applicants have overlooked the need for an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby petition therefore and authorize that any charges be made to Deposit Account No. 02-0385, Baker & Daniels.

Should the Examiner have any further questions regarding any of the foregoing, he is respectfully invited to telephone the undersigned at (260) 424-8000.

Respectfully submitted,



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CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: July 19, 2006

ADAM F. COX, REG. NO. 46,644

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July 19, 2006

Date